North Dakota Vocational Rehabilitation

Best Practices For Services To Individuals With An Impairment Of Substance Abuse/Dependence

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GUIDELINES for SERVICES TO INDIVIDUALS WITH AN IMPAIRMENT OF SUBSTANCE ABUSE/DEPENDENCE

These Best Practice Guidelines were created as a result of recommendations made by Vocational Rehabilitation (VR) Counselors and Administrators throughout North Dakota as well as consultation with substance abuse professionals with whom VR works.

The following activities have been identified as best practices that result in improved vocational rehabilitation services for individuals who have an impairment of substance abuse/dependence. Substance abuse/dependence covers a variety of substances including but not limited to alcohol, prescription drugs, over-the-counter drugs and illegal drugs.

Key components of these best practices include on-going **communication and coordination** between **Vocational Rehabilitation**, **substance abuse professionals**, **probation & parole** staff, family and other natural supports where appropriate. An additional component is periodic communication with various **referral sources** to aid in their understanding of factors to consider when making referrals to VR.

These are guidelines only and should not be interpreted as policy, regulation, or law unless so indicated.

Referral Source Information and Factors to Consider Prior to Making a Referral to VR

A key component of these best practices is on-going **communication and coordination** between **Vocational Rehabilitation**, public and private **substance abuse professionals** and **probation & parole** staff where appropriate. Some effective on-going communication strategies VR can employ include the following:

- Send informational letters to various referral sources, include factors to consider when making a referral to VR and follow-up with individual contact;
- Conduct ongoing presentations within the addiction treatment community including day treatment, intensive outpatient program (IOP) and other treatment groups, etc.,
- Discuss VR's purpose and what services VR can provide; factors to consider before making a referral to VR, sobriety time expected before the employment plan is put into place, etc.
- Clarify to group members that VR will be in contact with their Licensed Addiction Counselors (LAC's) to discuss their progression in treatment, that various drug testing could be utilized, and that the best time to apply for VR services is after

they have successfully completed treatment.

Factors to Consider Before Referral

In order to improve understanding of VR's purpose and role it will be helpful for referral sources and potential applicants to be aware of the following factors to consider before making a referral to VR.

If a referral agency is unsure about the appropriateness of a referral, they can contact the VR office with their questions.

- Is the individual actively involved in treatment/aftercare to address his or her addictions?
- Has the individual completed an inpatient, outpatient or transitional treatment program?
- Has the individual maintained sobriety/abstinence for a period of time after treatment outside of a controlled environment? What period of time does the individual's treatment team feel is necessary for him or her? Although 3 to 6 months is often used as a gauge, this can vary greatly for each person. Consultation with the individual's LAC can help counselors determine what is most appropriate for that individual. VR counselors may request written recommendations from the LAC's if they feel it is appropriate.
- Is the individual's addiction having a negative impact on his or her employment?
- Is the individual's work setting inappropriate given his or her addictions?
 (Bartender, construction, drug store, etc) If so, do they plan to return to that work setting?
- Does the individual intend to seek employment? The counselor may want to meet with the person before they apply to talk about their intentions.
- Is the individual only seeking emergency/immediate maintenance assistance? (Rent, car repairs, tools, etc.)

If The Individual Is Also Involved With Probation And Parole: Same as above, including the following:

- Is the individual available for employment? If the individual is incarcerated, is in inmate status outside of a prison or jail, including being on work release in inmate status, is in a temporary placement outside of their home region, or has outstanding warrants that may lead to incarceration he or she is not "available" for employment for VR purposes. Keep in mind that if the individual is on inmate status they may not have a parole or probation officer yet.
- What is the individual's history and what crime(s) was he or she convicted of that lead to parole/probation?

- Has the individual violated parole/probation in the past or presently?
- What are the conditions of parole/probation? A written copy of the parole/probation plan may be requested by the VR counselor if appropriate.
- Is the individual's work setting appropriate, given his parole/probation?

Conditions Where A&D Referral Should Not Be Made

- The individual has no plans to seek employment.
- The individual is not actively involved in maintaining their sobriety or working their treatment program.
- The individual is not available for employment through the VR program. Not available for employment includes the following situations:
 - The individual is incarcerated.
 - The individual is on inmate status in a location outside of a prison or jail such as a halfway house. If the individual is on work release yet still on inmate status, he or she is not available for employment for VR purposes.
 - The individual has outstanding warrants that may result in incarceration or is in a temporary placement outside of the individual's home region and plans to move back. As a professional courtesy, if a VR counselor is aware that a potential applicant plans to move, the counselor could call the home region to see if they would like the counselor to proceed or if they prefer to accept the application and conduct the intake when the person moves back home.

Possible exception:

- If the individual is inmate status but part of the Department of Correction's Re-Entry program, the individual may be available for employment. Each Re-Entry candidate and situation will be evaluated by the Re-Entry team, VR Counselor, and Regional VR Administrator to determine if the individual is available for employment.
- The individual is only seeking emergency/immediate maintenance assistance such as rent, car repairs, tools, etc.

If The Individual Is Also Involved With Probation And Parole:

Same as above, including the following:

The individual is not complying with conditions of parole/probation.

Conditions Where A&D Referral Should Be Made

- The individual has been active in the treatment process, has successfully completed treatment and is well established in aftercare services/support.
- The individual has maintained sobriety/abstinence for a period of time determined appropriate for that individual by the treatment team, sponsor or other appropriate support person.
- The individual is indicating they intend to seek employment.
- The individual's addiction is having a negative impact on employment or the work setting is not conducive to maintaining sobriety and they want to find a more appropriate employment setting. (History of quitting, termination, write-ups, etc.)
- The individual is available to seek employment. (Not incarcerated and no outstanding warrants that could lead to incarceration.)

If The Individual Is Also Involved With Probation And Parole:

Same as above, including the following:

• The individual is meeting the conditions of parole/probation.

Factors To Consider When Conducting Intake, Determining Eligibility, and Using Extended Evaluation/Trial Work

INTAKE

During the Vocational Diagnostic Interview, the following areas of discussion can provide valuable information for Vocational Rehabilitation assessment and planning.

- Does the individual understand the purpose of VR is long-term stable employment not short-term emergency assistance?
- A description of addiction usage including when usage began and how it escalated over time.
- The drug/s of choice including any IV drug usage.
- Treatment history how many treatments, were they completed, where & when, how long was the individual clean/sober after treatments.
- Sobriety history how did the individual maintain sobriety, how did he or she feel when they were sober/clean, how long did he or she stay sober.
- Is the individual currently involved in AA/NA or other support group including

cultural supports such as Native American sweatlodges, Red Road etc? How often does he or she attend and does he or she have a sponsor? If not, is the individual willing to participate in needed activities?

- What is the aftercare history.
- What are the individual's relapse triggers/what has caused relapses in the past.
 If the individual doesn't know their relapse triggers, it may be a red flag that they have not truly participated in or benefited from treatment and/or aftercare etc.
- Are there past or current or upcoming legal issues related to usage such as child support, DUI/DUS, restitution.
- Is the individual on parole or probation? If so, how long, what is the Parole Officer's (PO) name, what are the terms of parole/probation.
- Is the individual currently being drug screened, if so by whom, and when was the last screen?
- If there was a recent drug screen what type was it (hair, UA, blood) and what was the result?
- When did the individual last use?
- Does the individual express a desire to remain abstinent?

ELIGIBILITY

The following section provides guidance when the VR counselor is determining the eligibility of someone who has been diagnosed with an impairment of substance abuse/dependence.

- When determining if the alcohol abuse/dependence is an <u>impairment</u>, the VR counselor will consider the following:
 - The terms "abuse" and "dependence" are not interchangeable. "Abuse" can be a temporary condition. "Dependence" is a life-long, permanent condition.
 - If the individual has a diagnosis of "alcohol abuse" they may not be eligible for VR services since the condition may be temporary, for example a teenager who experimented with drugs and alcohol but who may not be addicted.
 - Individuals with a diagnosis of "alcohol dependence" have a lifelong, permanent condition. This diagnosis would be considered an impairment.

- Individuals with the diagnosis of "alcohol abuse, rule out dependence" may or may not have a permanent condition. Talk to the LAC if that is the diagnosis to determine what the next steps should be.
- Is the individual's addiction having a negative impact on his or her employment? Is it a <u>substantial impediment</u> to employment? [Examples of impediments to employment can include such things as difficulty concentrating, irritability, using on the job, working with a hangover, accidents, difficulty with co-workers, gaps in work history, quitting without notice etc.]
- Does the individual intend to seek employment?
- Is the individual still using substances? Sometimes visual cues such as behavior, odors etc. may indicate the individual is still using. If current use is unknown, a drug screen should be completed. Inform the individual that there will likely be on-going random drug testing. In accordance with the Rehabilitation Act, as amended, individuals using illegal drugs are not eligible for VR services while they are still using.
- Will VR services assist/benefit the individual in retaining, preparing for, securing, or regaining employment?
- Will the individual sign releases and allow VR access to all needed information & service providers? (A&D records/provider, family members, probation/parole, etc.)

EXTENDED EVALUATION/TRIAL WORK:

If additional time is needed to determine eligibility or if there are questions about the individuals sobriety counselors may write an **extended evaluation** plan.

If there are questions regarding the employability of the individual due to the severity of his or her disability the counselor should conduct **trial work** experiences. If trial work is not feasible for the individual, extended evaluation may be used instead. If either takes place the eligibility delay form should be signed.

Possible factors to consider when determining if extended evaluation or trial work are appropriate may include: multiple unsuccessful VR cases, a long history of poor treatment outcomes, questions about the validity of the individual's sobriety and sporadic (sketchy, scattered, limited) work history.

Extended evaluation or trial work plans must be in writing and reviewed at least every 90 days. Depending on the individual situation some of the activities that could be part of the plan including the following:

 Working on pre-placement/employability skills including soft skills such as personal hygiene, interaction with others, keeping appointmentsetc.

- Use of drug screens
- On going communication with LAC, case manager, Parole/probation officer, etc. to verify sobriety.
- Varied work experiences including community service and volunteer work. If this
 is a Trial Work Plan, the plan must include a variety of jobs over an period of
 time.

Areas To Consider As Part Of The Comprehensive Assessment Of Rehabilitation Needs

As with all individuals receiving VR services, the assessment of rehabilitation needs is an on-going process determined by individual circumstances and needs. Additional areas to consider for individuals with substance abuse impairments are described in this section.

- How has the drug/alcohol usage impacted employment or school attendance?
 - Examples include: going to work or school late due to a hangover or the effects from other drugs, being high at work or school, using at work or school on breaks/lunch, disciplinary action at work or school due to usage, quitting a job or school as it interfered with usage and/or quit before being fired or expelled, being fired or expelled due to usage, injury on the job or at school due to being high/drunk/hung over on the job.
- How long has the individual had abstinence from all mind-altering chemicals? What is their history of sobriety? How are they achieving abstinence/sobriety? (Examples: aftercare, AA, church) Are they willing to sign a release of information to someone that can verify the sobriety (LAC, sponsor, pastor)?
- Is the individual available for employment? If the individual is currently incarcerated or receiving treatment in a different region (the treatment center generally does not want them to work), they would not be available for employment. Individuals in halfway houses who are on work release but are still inmate status are not available for employment. If the individual is inmate status but part of the **Department of Correction's Re-Entry program**, the individual may be available for employment. The Re-Entry team, VR Counselor, and Regional VR Administrator will evaluate each individual situation to determine if the individual should be considered as available for employment.
- Does the individual want temporary employment (to pay bills/fines/etc) or are they looking for long-term employment?

- Is the individual's work setting inappropriate given the addiction past? If so, do they plan on returning to that work setting?
 - o Examples: prescription drug addict going back to medical field, construction worker, bartender, etc---look at the relapse triggers and discuss with LAC when appropriate.
- What relapse triggers does the individual identify? Some treatment programs
 include relapse plans as part of the recovery process. Relapse plans typically
 identify what factors may trigger a relapse for the individual as well as what he or
 she will do to regain sobriety if relapse occurs. Some relapse plans are in written
 format while others are not.
- What types of further evaluations are needed? For example, neuropsychological to test memory impairment, evaluation for depression, anxiety etc, medical evaluation including hepatitis C test. The results of some of the evaluations may eliminate some employment opportunities.

Developing The Individualized Plan for Employment (IPE)

 Before developing the IPE, assess the individual's sobriety. If the counselor is unclear about sobriety, the counselor may delay writing the plan until sobriety can be established. During this time various pre-employment activities can take place such as working on soft skills, resume writing, interest testing, mock interviewing etc. Even if the individual has a secondary diagnosis of another nature, be cautious not to overlook the sobriety that should be established.

The above activities would also be appropriate for individual's participating in the Re-Entry program who are still on inmate status but have been determined by the Re-Entry Team, VR Counselor and VR Adminstrator to be "available for employment". The employment plan would not be written until the individual moved to parole status and out of the controlled environment.

- On the employment plan include on-going sobriety activities, including counselor's responsibility to communicate with the LAC, probation officer, sponsor etc. and the individual's responsibility to abstain from all mind-altering chemicals, participate in a support group or groups of his or her choice (NA, AA, etc), to follow through on addiction treatment recommendations, and to follow through on probation and parole requirements, etc. Include addiction follow-up, relapse plan, drug testing, aftercare, medication and case management as appropriate.
- Maintain an ongoing relationship with addiction unit and/or LAC with release of information in place to discuss relapse triggers, on-going sobriety and other related issues. Remember to mark the CFR 42 Part 2 Box at the bottom of the

release.

- If individual does relapse, communicate with LAC or former LAC to determine the least restrictive treatment options for the individual. Depending on the severity of the relapse, the addiction and recovery history of the individual, and any other relevant factors, the VR counselor may either move the case into Status 24, service interrupted, or leave the case in it's current status.
- If appropriate, discuss the impact of outstanding legal issues and responsibilities such as fines, restitution and child support and how they will be paid.
- Discuss whether further training is an option for the individual due to responsibilities regarding child support, restitution etc.

If The Individual Is Also Involved With Probation And Parole:

Same as above, including the following:

- Have ongoing communication with the probation/parole officer as they may have completed all of the treatment requirements while incarcerated.
- The individual has maintained sobriety/abstinence for a period of time determined appropriate for that individual by the treatment team, sponsor or other appropriate support person outside of a controlled environment. (For example: the person may say they have been abstinent from all mind-altering chemicals for 3 years, however they have been in jail and/or halfway house during those 3 years.)
- Maintain ongoing relationship with parole/probation officer with release of information as they may have completed all treatment requirements while incarcerated and to discuss on-going issues/potential issues.
- If appropriate, discuss the impact of outstanding legal issues and responsibilities such as fines, restitution, and child support and how they will be paid.
- Discuss whether further training is an option for the individual due to responsibilities regarding child support, restitution, eligibility or ineligibility for financial aid due to criminal history, etc.
- Many professions conduct background checks and place hiring restrictions on individuals who have felony convictions or other criminal records. The individual and counselor will need to take into consideration state licensure requirements and other hiring restrictions when identifying the employment goal.
- If the individual has a felony conviction discuss the issue of bonding that is available through Job Service North Dakota.
- Discuss with the individual the counselor's responsibility to communicate with parole/probation officer on a regular basis.